



**NORTHAMPTON LICENSE  
COMMISSION  
OCTOBER 7, 2009  
Minutes**

*Commission Chairman Brad Shimel, Commissioner William Rosen,  
Commissioner Stephanie Levin*

---

Chairman Shimel opened the meeting at 4:04 p.m., in City Council Chambers, 212 Main Street, Northampton, on the following:

**1. APPLICATION FOR SHORT TERM ALL ALCOHOLIC LIQUOR  
LICENSE**

**APPLICANT:** Beit Ahavah, The Reform Jewish Synagogue of  
Northampton, Inc. d/b/a Beit Ahavah  
**EVENT:** Fundraiser for Beit Ahavah  
**DATE of Event:** Saturday, December 12, 2009  
**TIME of Serving:** 7:00 p.m. – 11:00 p.m.  
**LOCATION of Event:** Northampton Center for the Arts  
**FEE:** \$100.00

Donald Frank was present for the application. The event will have up to 200 in attendance. Ms. Barbara Frank, a TIPS certified server, will be the server. Insurance liability binder has been provided to the License Commission office.

**Commissioner Shimel moved approval of the application; Commissioner Rosen seconded. The vote passed unanimously (2-0).**

**Commissioner Levin arrived at 4:06 p.m.**

**2. APPLICATION FOR SHORT TERM WINE & MALT LIQUOR LICENSE**

**APPLICANT:**  
**EVENT:** 8<sup>TH</sup> Annual Harvest Dinner Dance  
**DATE of Event:** Saturday, October 24, 2009  
**TIME of Serving:** 5:00 p.m. – 10:00 p.m.  
**LOCATION of Event:** Northampton Senior Center, 67 Conz Street  
**FEE:** Request Fee Waiver

Patte Shaughnessy was present for the application. The insurance is covered by City of Northampton insurance, and server information has been provided to the License Commission office.

**Commissioner Levin moved approval of the application, with fee waived;  
Commissioner Rosen seconded. The vote passed unanimously (3-0).**

**3. APPLICATION FOR AUTOMATIC AMUSEMENT DEVICE**

**Kathy's Diner**

**6 Strong Avenue, Northampton**

**TYPE OF MACHINE: One Skill Touch**

**FEE: \$55.00 (Paid at License Commission office on 9/9/09)**

There was no one present for the application. The Clerk explained that the licensee is approved for two devices; this would be the second device.

**Commissioner Shimel moved approval of the application; Commissioner Rosen seconded. The vote passed unanimously (3-0).**

**4. APPLICATION FOR SHORT TERM WINE & MALT LIQUOR LICENSE**

**Academy of Music Theatre**

**274 Main Street, Northampton**

**EVENT: Pioneer Valley Symphony Orchestra production of "La Traviatta"**

**DATE of Event: Saturday, October 24, 2009**

**TIME of Serving: 6:30 p.m. – 11:00 p.m.**

**LOCATION of Event: Academy of Music**

**FEE: Request Fee Waiver**

Gail Yacuzzo was present for the application. Insurance liability binder and server information has been provided to the License Commission office.

**Commissioner Levin moved approval of the application, with fee waived;  
Commissioner Rosen seconded. The vote passed unanimously (3-0).**

**5. APPLICATION FOR SHORT TERM WINE & MALT LIQUOR LICENSE**

**Academy of Music Theatre**

**274 Main Street, Northampton**

**EVENT: Screening of "Repo" by Tower Theater**

**DATE of Event: Friday, October 30, 2009**

**TIME of Serving: 8:30 p.m. – 12:00 a.m.**

**LOCATION of Event: Academy of Music**

**FEE: Request Fee Waiver**

Gail Yacuzzo was present for the application. Insurance liability binder and server information has been provided to the License Commission office. Tower Theater will donate all sales of alcohol proceeds to Academy of Music.

**Commissioner Levin moved approval of the application, with fee waiver;  
Commissioner Rosen seconded. The vote passed unanimously (3-0).**

**6. APPLICATION FOR COMMON VICTUALLER LICENSE**

**Subway of Northampton  
180 North King Street  
Two rooms inside Walmart  
Fee: \$40.00**

The Clerk explained that, while preparing renewal documents, it was discovered that the Walmart has been paying for the Common Victualler license, but that Subway occupies the area of the Common Victualler. Subway is agreeable to assuming payment of the Common Victualler license going forward. Walmart has been notified that they are no longer responsible for the Common Victualler license.

**Commissioner Shimel moved approval of the application; Commissioner Levin seconded. The vote passed unanimously (3-0).**

**7. APPLICATION FOR SHORT TERM WINE & MALT LIQUOR LICENSE**

**Silverscape Designs, 1 King Street  
EVENT, DATE of Event and Time of Serving:  
Retail Promotion – Friday, October 23, 2009 Serving 5:00 pm– 8:00 pm  
Retail Promotion – Sunday, November 29, 2009 Serving 12:00 pm – 5:00 pm  
Northampton Area Young Professionals – Wednesday, December 9, 2009  
Serving 5:00 pm – 9:00 pm  
FEE: \$60.00 per event = \$180.00 total**

Michael Kusek was present for the application. He stated that the event of October 23 would be “by invitation only”. There was discussion as to whether this needed a license, if not open to the public. Mr. Kusek stated that the event of November 29 would have the alcohol “given, not sold”.

**Commissioner Shimel moved approval of the application, contingent upon receipt of insurance liability binder and server information- if the October event is proven to be closed to the public, no license is needed and fee will be refunded. Commissioner Rosen seconded. The vote passed unanimously (3-0).**

**8. DISCUSSION REGARDING AUGUST 12, 2009 LICENSE COMMISSION  
APPROVAL OF EXTENSION OF PREMISES APPLICATION OF 1  
BRIDGE STREET, INC. D/B/A PARADISE CITY TAVERN**

**9. VIOLATION HEARING: 1 BRIDGE STREET, INC. D/B/A PARADISE  
CITY TAVERN – DATE OF VIOLATION SEPTEMBER 5, 2009.**

The Commission took Items #8 and #9 together:

These were the restrictions of the application from the licensee approved by the Northampton License Commission on August 12, 2009:

- 1) FOR A TRIAL PERIOD BEGINNING ON APPROVAL DATE BY A.B.C.C. THROUGH JUNE 1, 2010 FOR LIMITED, INTERMITTENT AND OCCASIONAL USE FOR SPECIAL EVENTS, NOT FOR GENERAL OVERFLOW OF PREMISES. THE NORTHAMPTON LICENSE COMMISSION WILL REVIEW THIS APPROVAL OF EXTENSION OF PREMISES AT THE JUNE 2010 MEETING.
- 2) LICENSEE MUST GIVE ADVANCE NOTICE TO BUILDING COMMISSIONER, FIRE DEPARTMENT AND POLICE DEPARTMENT.
- 3) SERVING AREA MUST BE ENCLOSED AND CLEARLY DEMARCATED.
- 4) EVENT MAY BE NO LATER THAN 9:00 P.M. WEEKDAYS, NO LATER THAN 10:00 P.M. ON FRIDAY AND SATURDAY.
- 5) EVENTS MAY BE NO MORE THAN FORTY-FIVE (45) DAYS AGGREGATE, NOT TO EXCEED THREE (3) PER WEEK.

The Clerk explained that the A.B.C.C. returned the Form 43 for this application of Extension of Premises on September 9, 2009 with "Return No Action". The A.B.C.C. informed the Clerk that these restrictions are in conflict with MGL Chapter 138. The A.B. C.C. prefers that the local License Commission work this out with the licensee to either approve or deny the application, with no restrictions.

**Commissioner Shimel moved to deny, without prejudice, the application for Extension of Premises; Commissioner Levin seconded. The vote passed on a vote of 2 Yes, 1 No.**

At the hearing, Police Chief Russell Sienkiewicz and Police Officer Greg Hennick testified regarding the Police Report of September 16, 2009, herein attached. Kathleen Baatz, a resident and abutter, also testified regarding what she saw and heard on the night of the incident. William Collins, general manager, Attorney Joseph DeFazio, and Claudio Guerra, owner, testified on behalf of the licensee. Teri Anderson, Community and Economic Development Director of Northampton, MA also spoke for the licensee.

Officer Hennick testified to the facts of the police report. He stated that Mr. Collins was extremely cooperative, and during the search of the premises, Mr. Collins brought forward two more individuals involved and hiding on the premises. Attorney Joseph DeFazio questioned Officer Hennick as to details of the search of the premises.

Mr. Collins testified that he was the manager on duty, and he and staff had closed and left the premises by 2:45 a.m. on September 5, 2009. He stated that there were three employees with keys and access to security codes who had let five friends into the establishment. Mr. Collins stated that he believed their intention was "to party and steal alcohol." Mr. Collins emphasized that the employees did have access, but did not have **permission** to be on the premises.

The Commission questioned Mr. Collins regarding procedures and deterrents that were to have been put in place following the previous violation hearings of October 5, 2008 and February 8, 2009. Mr. Collins stated that all staff had signed an understanding of rules, and video cameras had been installed on the premises. Mr. Collins stated that the three employees in this incident have all been terminated.

Police Chief Sienkiewicz introduced the resident, Kathleen Baatz, who called the police at 3:23 a.m. on September 5, 2009. She testified that she heard and saw individuals arrive, enter the premises as a group, and she called the police. She testified that four police squad cars arrived promptly.

Attorney Joseph DeFazio, representing the licensee, argued that the individuals involved were not "patrons", the three employees had "no legitimate reason to be on the premises", and that the licensee should not be punished for the actions of the now-former employees.

The Commission discussed the violations and evidence in relation to the additional item before the Commission regarding the return from the A.B.C.C. of an application of Extension of Premises. The Northampton License Commission approved the Extension of Premises application by this licensee on August 12, 2009 with specific restrictions. The A.B.C.C. returned this application on September 9, 2009 with "Return No Action", informing the License Commission office that the restrictions were in conflict with Massachusetts General Laws Chapter 138. The A.B.C.C. has now given the local License Commission the ability to reconsider this application.

The Commission debated that, given the current violations being heard, plus previous violations on October 5, 2008 and February 8, 2009, the licensee does not have control of the premises.

Mr. Claudio Guerra stated that he finds this insinuation of a lack of management skills deeply offensive. Mr. Guerra stated that he owns six establishments in Western Massachusetts, with over 20 years' experience, serving thousands of patrons per week. He stated that he intended to press charges against the involved individuals, but was advised by his attorney that such charges would ruin their lives. He stated that it is a struggle to keep establishments open in the current economy, that many people depend upon him, and he is aware of his responsibility. He asked the Commission to remember the big picture.

Ms. Teri Anderson, Community and Economic Development Director of Northampton, MA spoke regarding the Extension of Premises application, and assured the Commission that, if the application was denied, she and the Mayor are interested in working with the applicant.

**Commissioner Shimel moved to deny, without prejudice the Extension of Premises application; Commissioner Levin seconded. The vote passed on a vote of 2 Yes, 1 No (Commissioner Rosen voting No).**

**Commissioner Levin moved to find that a violation of Northampton License Commission 2 a.m. Closing Rules, specifically that all personnel be off premises by 3:00 a.m. *did occur* and that License Commission 2 a.m. Closing Rules, specifically that all patrons be off the premises by 2:00 a.m. *did not occur*. Commissioner Rosen seconded. The Commission imposed a sanction of a suspension of two (2) days beginning October 8, 2009, further suspended for six months beginning October 8, 2009 and ending April 8, 2010, and further to be dismissed from the record upon no further violations. The vote passed on a vote of 2 Yes, 1 No (Commissioner Shimel voting No).**

**The licensee will be notified by certified letter within three (3) days of this decision, and the licensee has five (5) days from receipt of the decision letter to appeal the decision to the A.B.C.C.**

#### **10. APPROVAL OF SEPTEMBER 2, 2009 MINUTES**

**Commissioner Rosen moved approval of the minutes; Commissioner Levin seconded. The vote passed unanimously (3-0).**

#### **11. NEW BUSINESS**

The Clerk presented the attached memo and asked the Commission for a motion to approve the renewal process of the listed licenses. There are 63 establishments with annual liquor licenses and 10 establishments with seasonal (April 1, 2010 through January 15, 2011) liquor licenses that must pass Certificates of Inspection by the Building Commissioner and Fire Inspector before renewal is approved. These are included in this listing.

**Commissioner Shimel moved approval of the renewal process of the listed licenses; Commissioner Levin seconded. The vote passed unanimously (3-0).**

The Clerk presented a request by Northampton Brewery to use its annual allowance to stay open until 2:00 a.m. on Saturday, October 31, 2009. The Police Department has no objections. The Commission acknowledged this request.

The Clerk explained an event was held on October 3, 2009 by the Northampton Cycling Club, which, when the advertisement appeared in the Hampshire Gazette, appeared to offer crafts beer provided by Northampton Brewery. After emails and calls, it was determined that this was a private event open only to members of the club. No license was needed.

The Clerk stated that a director from the United Way also asked serving of alcohol at "by invitation only" events at downtown businesses. If the event is closed to the public, no license is required. If the event is open to the public, a license to serve alcohol is

required per MGL Chapter 138, Section 41. This is the understanding of the clerk per advice from Ralph Sacramone, Director of Operations of A.B.C.C.

***Chapter 138: Section 41. Delivery of alcoholic beverages as prima facie evidence of sale***

*Section 41. The delivery of alcoholic beverages in or from a building, booth, stand or other place, except a private dwelling house, or in or from a private dwelling house if any part thereof or its dependencies is used as an inn, eating house or shop of any kind, or other place of common resort, such delivery in either case being to a person not a resident therein, shall be prima facie evidence that such delivery is a sale.*

**LATE APPLICATION RECEIVED TODAY, 10/7/09 – APPLICATION FOR SHORT TERM WINE & MALT LIQUOR LICENSE**

**TWIST**

**100A State Road**

**EVENT: Northampton Center for the Arts – Craft Fair**

**DATE of Event: November 13, 2009**

**TIME of Serving: 4:00 p.m. – 11:00 p.m.**

**LOCATION of Event: Northampton Center for the Arts, 17 New South Street**

**FEE: \$60.00**

Cory Barnes was present for the application. The insurance liability binder and server information will need to be provided to the License Commission office.

**Commissioner Shimel moved approval of the application, contingent upon insurance liability and server information provided; Commissioner Levin seconded. The vote passed unanimously (3-0).**

The Clerk provided a schedule of meetings for Calendar Year 2010.

The Clerk noted that the November 4, 2009 agenda has a citizen complaint regarding the Northampton B.P.O.E. #997. The citizen and the licensee have been notified that they may appear at the meeting. This is only for **discussion** of the complaint, no sanctions will be imposed.

**At 6:00 p.m., Commissioner Shimel motioned to adjourn and was seconded by Commissioner Rosen. The vote passed unanimously (3-0).**

**THE NEXT MEETING IS NOVEMBER 4, 2009 AT 4:00 p.m.**

*Respectfully submitted,  
Mary L. Midura  
Executive Secretary*



# NORTHAMPTON POLICE DEPARTMENT

Russell P. Sienkiewicz  
CHIEF OF POLICE

---

16 September 2009

Attorney Brad A. Shimel, Chair  
Northampton License Commission  
Northampton City Hall  
210 Main Street  
Northampton, MA 01060

**SUBJECT: Request for License Commission Hearing**

Dear Attorney Shimel:

Enclosed is an application for a License Commission Hearing for two violations committed by Paradise City Tavern, 3 Bridge Street, Northampton on the morning of 5 September 2009.

At approximately 3:23 a.m. on that date, Officers responded to a report of several persons seen entering the side door of that establishment. Upon investigation, responding officer found eight people hiding inside the establishment. It was determined that three of those persons were employees of the establishment and five were not. One of the employees, told the officers that employees normally spend time in the establishment after hours playing cards. While on the premises, officers also observed an open bottle of beer in the basement hallway and a full glass of beer on the bar upstairs.

During a follow-up investigation later that evening, William Collins, the establishment's manager of record, advised that two additional employees had been hiding in a walk-in freezer, but had not been detected. It should be noted that one of those employees, had been found on the Nagle Walkway after the officers left the scene that morning. That employee identified himself as having been the manager on duty. Mr. Collins advised that all the involved employees had been terminated.

The first violation is the establishment's failure to comply with the *Special Rule Governing the 2:00 a.m. Closings, specifically that all personnel be off premises by 3:00 a.m.* It was determined that five (5) employees, including a manager, were on the premises for no legitimate purpose after 3:00 a.m.



The second violations is the establishment's failure to comply with the *Special Rule Governing the 2:00 a.m. Closings, specifically that all patron be off premises by 2:00 a.m.* Five (5) persons, determined not to be employees, were found hiding on the premises after the 2:00 a.m. closing time.

It is laudable that Manager Collins was forthright in advising the investigating officer about the two additional employees that were not discovered hiding on the premises, and that he took decisive action in terminating all the employees involved. However, I remind the Commission that eleven months ago, last October, two Paradise City Tavern employees were determined to have been drinking on premises after 3:00 a.m. Just eight months ago in February a disturbance, involving an assault & battery occurred inside the establishment due to a lack of reasonable oversight and control on the part of the management.

Alas, I bring to the Commission attention what appears to be a continuing pattern of inadequate managerial control over the establishment and its employees. This heightens my concern about their application for an extension of premises. Paradise City Tavern has not satisfactorily demonstrated that it can effectively manage its existing premises. I find it dubious to say the least, that they would be able to exercise proper control over an extension of the premises, especially one of a character requiring even more managerial vigilance.

In addition to the hearing application, you will find a copy of incident report, as well as a summary memorandum from the 11:00 p.m. - 7:00 a.m. shift commander.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Russell P. Sienkiewicz', with a long horizontal flourish extending to the right.

Russell P. Sienkiewicz  
*Chief of Police*

Enclosures: (3)

cc: Captain Kenneth Patenaude  
Lieutenant Richard Rogalski



**Northampton Police Department  
Application for License Commission Hearing**



Date of violation: 9/5/09    Time of violation: 0323    Incident Number: 09-2460-OF

**Violating Business**

Complete legal name of business	Paradise City Tavern
Complete legal address	1 Bridge Street
Business Telephone Number	413-586-2664
Type of License Alcohol	License Number Unknown

**Manager of Business**

Name of Manager	William Collins
Home Address	12 Crafts Ave
Home Telephone	413-320-2587

**Employee Committing the Violation**

Name of Employee	Jesse Ferriter
Home Address	274 Bridge Street
Home Telephone	617-935-1003    * (See additional pages for more employees)

**Person In Charge of the Business at Time of Violation**

Person In Charge	Nicholas Townsend
Home Address	9 Hendrick Street Easthampton, MA
Home Telephone	413-529-0629

**Witness Number One**

Name of Witness	<del>Catherine Baatz</del>
Age of Witness	<del>49</del>
Home Address	<del>17 Hawley Street Apt. 201</del>
Home Telephone	<del>413-586-8198</del>

Date of Birth ~~10/24/59~~

*No Need  
TO SUMMONS  
CHIEF PJ*

**Witness Number Two**

Name of Witness	
Age of Witness	Date of Birth
Home Address	
Home Telephone	

**Witness Number Three**

Name of Witness	
Age of Witness	Date of Birth
Home Address	
Home Telephone	

Further involved employees of Paradise City...

Name of Employee	Home Address	Telephone
Jaimie Lashway	87 N. Pleasant St. Amherst	Unknown
Sophia Corbin	71 Cottage St. Easthampton	413-584-0667
Andrew Brow	4 Lawn Ave Northampton	413-548-6404
Jorge Rodriguez	Unknown	Unknown

Violations Alleged (*State specific violations of state law and/or License Commission Regulation, including the Chapter and Sections*):

- Employees in establishment after 3 AM with no legitimate purpose
- Non-Employees in establishment after 2 AM

Synopsis of circumstances of violation(s) (*short, but detailed summary of the facts of the incident, establishing probable cause for the incident*)

Outside guests were observed entering the establishment at approximately 0323 hours by a witness. A search of the building yielded eight people found in the basement with the lights turned off. Interview of these parties affirmed that there were employees and non-employees present. A glass of beer was found on the upstairs bar counter and an open bottle of beer was found in the basement hallway. See report for further details.

**Persons to be Subpoenaed (police officers, violators, witnesses, manager, etc)**

Name: ~~Sergeant John Cartledge~~ *rf*  
Address: ~~29 Center Street~~

Name: Officer Paul Wigmore  
Address: 29 Center Street

Name: Officer Greg Hennick  
Address: 29 Center Street

Name: ~~Officer Kenneth Kirchner~~ *rf*  
Address: ~~29 Center Street~~

Name: ~~Kathy Baatz~~ *rf*  
Address: ~~17 Hawley Street Apt. 201~~

Name: Claudio Guerra  
Address: 675 North Farms Rd

Is a Criminal Complaint Also Being Sought? ☐ Yes ☒ No

Reporting Officer Name: Greg Hennick

ID: 200

Signature of Reporting Officer *Greg Hennick*

Date *07/14/09*

Approved by the Chief of Police *David P. [Signature]*

Date *16 Sep 09*



Northampton Police Department  
Incident Report

Page: 1  
09/14/2009

Incident #: 09-2460-OF  
Call #: 09-23099

Date/Time Reported: 09/05/2009 0323  
Report Date/Time: 09/05/2009 0419  
Status: No Crime Involved  
Reporting Officer: Patrol Gregory Hennick -4208

Signature: \_\_\_\_\_

#	INVOLVED	SEX	RACE	AGE	SSN	PHONE
1	GONZALEZ, LESLIE A 146 VILLAGE PARK RD AMHERST MA 01002  BODY: NOT AVAIL. DOB: 02/01/1972 LICENSE NUMBER: NOT AVAIL.	F	W	37		
2	VELEZ, LIVIA JUDITH 199 VILLAGE PARK RD AMHERST MA 01002  BODY: NOT AVAIL. DOB: 06/20/1969 LICENSE NUMBER: NOT AVAIL.	F	W	40		
3	RODRIGUEZ, ELIZABETH T 106 VILLAGE PARK RD AMHERST MA 01002-1546  BODY: NOT AVAIL. DOB: 09/02/1979 LICENSE NUMBER: MA S81404922	F	W	30		
4	ROBLES, JOSE A 170 E HADLEY RD 45 AMHERST MA 01002  BODY: NOT AVAIL. DOB: 10/22/1983 LICENSE NUMBER: MA S32479197 PCF #: NONE	M	W	25		413-658-8286

[CONTACT INFORMATION]

Home Phone (Primary) 413-658-8286  
Home Phone 413-658-8280

[APPEARANCE]

GLASSES WORN: NO

5	FERRITER, JESSE L 274 BRIDGE ST NORTHAMPTON MA 01060  HEIGHT: 508 BODY: NOT AVAIL. DOB: 09/25/1975 LICENSE NUMBER: MA 027569078	M	W	33		617-935-1003
		HAIR: BLACK EYES: NOT AVAIL. COMPLEXION: NOT AVAIL. PLACE OF BIRTH: NOT AVAIL. ETHNICITY: NOT HISPANIC				

Northampton Police Department  
Incident Report

Page: 2  
09/14/2009

Incident #: 09-2460-OF

Call #: 09-23099

#	INVOLVED	SEX	RACE	AGE	SSN	PHONE
---	----------	-----	------	-----	-----	-------

[CONTACT INFORMATION]

Home Phone (Primary) 617-935-1003

[APPEARANCE]

GLASSES WORN: NO

TATTOOS: TAT UR ARM(FISH, ROSES)

EMPLOYER/SCHOOL: PARADISE CITY TAVERN

6	LASHWAY, JAIMIE P 87 NORTH PLEASANT ST AMHERST MA 01002	F	W	25		
---	---------------------------------------------------------------	---	---	----	--	--

BODY: NOT AVAIL.  
DOB: 10/21/1983  
LICENSE NUMBER: MA S28349336

COMPLEXION: NOT AVAIL.  
PLACE OF BIRTH: NOT AVAIL.  
ETHNICITY: NOT HISPANIC

[APPEARANCE]

TATTOOS:

7	EMRICK, MEGAN LYNN 317 SMITH RD ASHFIELD MA 01330	F	W	24		
---	---------------------------------------------------------	---	---	----	--	--

BODY: NOT AVAIL.  
DOB: 07/15/1985  
LICENSE NUMBER: NOT AVAIL.

COMPLEXION: NOT AVAIL.  
PLACE OF BIRTH: NOT AVAIL.  
ETHNICITY: NOT HISPANIC

[APPEARANCE]

TATTOOS:

8	CORBIN, SOPHIA C 71 COTTAGE ST EASTHAMPTON MA 01027-1652	F	W	21		413-584-0667
---	----------------------------------------------------------------	---	---	----	--	--------------

BODY: NOT AVAIL.  
DOB: 08/08/1988  
LICENSE NUMBER: MA S60189178

COMPLEXION: NOT AVAIL.  
PLACE OF BIRTH: NOT AVAIL.  
ETHNICITY: NOT HISPANIC

[CONTACT INFORMATION]

Home Phone (Primary) 413-584-0667

Northampton Police Department  
Incident Report

Page: 3  
09/14/2009

Incident #: 09-2460-OF

Call #: 09-23099

#	INVOLVED	SEX	RACE	AGE	SSN	PHONE
---	----------	-----	------	-----	-----	-------

[APPEARANCE]

TATTOOS:

ALIAS LAST NAME	FIRST NAME	MIDDLE NAME	SSN	DOB
CORBIN	SOPHIA		NOT AVAIL	08/08/1988

9	TOWNSEND, NICHOLAS S 9 HENDRICK ST EASTHAMPTON MA 01027-2524	M	W	24		413-529-0629
---	--------------------------------------------------------------------	---	---	----	--	--------------

HEIGHT: 601      WEIGHT: 240      HAIR: BROWN      EYES: BLUE  
BODY: NOT AVAIL.      COMPLEXION: NOT AVAIL.  
DOB: 02/14/1985      PLACE OF BIRTH: ALLIGAN, MICHIGAN  
LICENSE NUMBER: MA S78444790      ETHNICITY: NOT HISPANIC

[CONTACT INFORMATION]

Home Phone      (Primary)      413-529-0629

[APPEARANCE]

GLASSES WORN: NO

TATTOOS:

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: SINGLE

FATHER'S NAME: TOWNSEND, TY  
MOTHER'S NAME: SEEBACK, KELLY

EMPLOYER/SCHOOL: PARADISE TAVERN  
EASTHAMPTON MA 01027

OCCUPATION: MACHINE OP

10	BROW, ANDREW MICHAEL 4 LAWN AVE NORTHAMPTON MA 01060	M	W	24		413-548-6404
----	------------------------------------------------------------	---	---	----	--	--------------

HEIGHT: 510      WEIGHT: 140      HAIR: BROWN      EYES: NOT AVAIL.  
BODY: NOT AVAIL.      COMPLEXION: NOT AVAIL.  
DOB: 11/08/1984      PLACE OF BIRTH: SPRINGFIELD, MA  
LICENSE NUMBER: MA S37875867      ETHNICITY: NOT HISPANIC

[CONTACT INFORMATION]

Home Phone      (Primary)      413-548-6404

Northampton Police Department  
Incident Report

Page: 4  
09/14/2009

Incident #: 09-2460-OF  
Call #: 09-23099

#	INVOLVED	SEX	RACE	AGE	SSN	PHONE
---	----------	-----	------	-----	-----	-------

[APPEARANCE]

GLASSES WORN: NO

TATTOOS:

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: SINGLE

FATHER'S NAME: N/A, N/A

MOTHER'S NAME: BROW, SUZANNE

EMPLOYER/SCHOOL: SPOLETO EXPRESS  
NORTHAMPTON MA 01060

OCCUPATION: COOK

#	EVENTS (S)
---	------------

LOCATION TYPE: Restaurant/Cafeteria  
PARADISE CITY TAVERN  
1 BRIDGE ST  
NORTHAMPTON MA 01060

Zone: Main Footbeat Lower

1 LICENSE COMMISSION COMPLAINT

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
---	-----------	-------------	-----	------	-----	-----	-------

1	BAATZ, CATHERINE 17 HAWLEY ST 201 NORTHAMPTON MA 01060 DOB: 01/01/2001 CONTACT INFORMATION: Home Phone (Primary)	REPORTING PARTY	F	U	8	NOT AVAIL	413-586-8198
2	GUERRA, CLAUDIO 675 N FARMS RD FLORENCE MA 01062 DOB: 04/15/1961 EMPLOYER: OWNER SPOLETO'S CONTACT INFORMATION: Home Phone (Primary)	OTHER	M	W	48	NOT AVAIL	413-584-6106
3	COLLINS, WILLIAM 12 CRAFTS AVE NORTHAMPTON MA 01060-4129 DOB: 08/25/1979 EMPLOYER: PARADISE CITY TAVERN CONTACT INFORMATION: Home Phone (Primary)	OTHER	M	W	30		413-320-2587



NARRATIVE FOR PATROL GREGORY M HENNICK -4208

Ref: 09-2460-OF

Entered: 09/05/2009 @ 0428      Entry ID: 200  
Modified: 09/14/2009 @ 0528      Modified ID: 200

On the morning of Saturday, September 5, 2009, at approximately 0323 hours, Sergeant Cartledge, Officers Wigmore and Kirchner, and I (Officer Hennick) responded to 1 Bridge Street (Paradise City Tavern) for a report of fifteen people inside the establishment. Dispatch later informed me that the reporting party (later identified as Catherine Baatz through 911) reported that she had witnessed these people enter a side door to the building at the time of the call. Upon our arrival, Officers Wigmore, Kirchner, and I checked the exterior of the building. There appeared to be a light on in the rear kitchen. I observed a male's head pass by the window towards the rear of the building as I exited the cruiser. A check of the establishment through the front windows showed the interior to be dark and empty.

Nicholas Townsend, a head chef at the restaurant, was found outside in the parking lot leaving with two other employees. He stated that they had just exited the building for the night and that there was no one else in the building. Officer Wigmore found an open side door to the building at approximately the same time. As Officer Wigmore and I entered the building to conduct an interior search, Officer Kirchner informed me that he saw someone in the rear kitchen window moving towards the rear of the building.

Officer Wigmore and I proceeded to the rear of the kitchen where we found a staircase leading to the basement of the establishment. We descended the staircase into a dark hallway. Officer Wigmore and I activated our flashlights and observed a dark room with approximately five people in it. A side corridor from the hallway also contained three more females. All of the parties were gathered into the room and their names were documented: Leslie Gonzalez, Livia Velez, Elizabeth Rodriguez, Jose Robles, Jesse Ferriter, Jaimie Lashway, Megan Emrick, Sophia Corbin.

Upon interviewing the parties, Robles stated that they were all employees at the establishment. I subsequently asked Gonzalez what she was doing in the tavern. She stated that she was "with friends." I then asked her if she worked there. She answered that she did not. An in-house check of the parties confirmed that Ferriter was an employee at Paradise City Tavern. Officer Wigmore spoke with Robles who informed him that they normally spend time in the establishment after hours playing cards.

Sergeant Cartledge (along with Officer Kirchner) entered the room shortly afterwards. Further interview of the parties yielded no further useful information. The parties were then escorted out of the building. As we exited the establishment, I observed an open beer bottle in the basement hallway and a glass full of beer on the upstairs bar counter.

Townsend was interviewed again prior to officers' departure. He denied knowing anything about the people downstairs. After officers exited the scene, Officer Wigmore reported that Andrew Brow was located on the Nagle Walkway. Brow informed Officer Wigmore that he was the manager on duty at Paradise City until 0030 hours and had not been in the establishment after that time.

Northampton Police Department

Page: 1

SUPPLEMENTAL NARRATIVE FOR PATROL GREGORY M HENNICK -4208

Ref: 09-2460-OF

Entered: 09/08/2009 @ 0245 Entry ID: 200  
Modified: 09/14/2009 @ 0443 Modified ID: 200

On the evening of Monday, September 7, 2009, at approximately 2316 hours, I (Officer Hennick) responded to 1 Bridge Street (Paradise City Tavern) for a follow-up investigation to this incident. Upon arrival, I met with William Collins, a manager of the establishment. I asked him if he was familiar with the incident that had occurred on 09/05/09. He stated that he was. Collins subsequently informed me that the employees involved had been terminated.

I informed Collins that I had a list of the persons present and requested that he indicate which ones were employees of Paradise City. Collins was cooperative and identified Lashway, Corbin, and Ferriter as being employees that were terminated due to the incident. He also identified Andrew Brow and an employee named "George" as two other employees present in the September 5th incident. Collins relayed that they had been hiding in a side compartment in the freezer. I personally had checked the freezer during the building search but had not realized that there was a side compartment attached. Collins informed me that those two employees had been terminated as well. I asked that Collins to provide me with George's information and he stated that he would at a later time when he retrieved it from the central office.

Northampton Police Department

Page: 1

SUPPLEMENTAL NARRATIVE FOR PATROL GREGORY M HENNICK -4208

Ref: 09-2460-OF

Entered: 09/14/2009 @ 0441 Entry ID: 200  
Modified: 09/14/2009 @ 0442 Modified ID: 200

On the evening of Thursday, September 16th, 2009, William Collins left me (Officer Hennick) a message on my voicemail. He stated that the other employee "George" was named Jorge Rodriguez. Collins did not provide any further information on Rodriguez however and I was therefore unable to identify him.

## Northampton Police Department



# Memorandum

**Date:** 9/15/2009

**To:** Chief Russell Sienkiewicz

**From:** Lt. Richard Rogalski

**Re:** License Commission Hearing request

---

Chief.

Attached, for your approval, is a request for a license commission hearing against Paradise City Tavern.

On September 5<sup>th</sup> at approximately 03:23 hours, dispatch received a 911 call from Catherine Baatz who stated that she had witnessed several people just enter the side door of Paradise City Tavern. Officers along with Sgt. Cartledge responded to the scene. A Nicholas Townsend who is the head chef at the restaurant, was located outside in the parking lot along with two other employees. He advised the officers that they were just leaving for the night and that no one else was inside the restaurant.

Officer Wigmore found an open side door to the building. Officers at this time entered the building to investigate and to make sure no one else was in the building. Their search revealed that several people were hiding in several different locations in the building, some were employees and some were not.

See officers reports for complete details.

The reason for the delay in submitting this, is after reading the initial report on the morning of Sept, 5<sup>th</sup> I found that officer Hennick could not positively identify who were employees and who were not. I suggested to him that this

was an important factor, and he needed to do a follow up and identify who the employees were, and who were guests or patrons.

Respectfully Submitted

A handwritten signature in cursive script, appearing to read "Lt. Richard Rogalski".

Lt. Richard Rogalski

Memorandum

**To:** License Commissioners  
**From:** Mary L. Midura, Executive Secretary  
**Date:** 9/30/2009  
**Re:** License Renewals for 2010

---

Commissioners –

Under New Business, I ask that you please make a motion to approve the renewal process of the following licenses:

82 Annual Liquor Licenses

122 Common Victualler Licenses

5 Innholder Licenses

10 Lodging House Licenses

39 Weekday Entertainment Licenses

104 Automatic Amusement Device Licenses

9 Class I Car Dealer Licenses

22 Class II Car Dealer Licenses

4 Class III Car Dealer Licenses

10 Seasonal Liquor Licenses (to be sent in March 2010 for April 1, 2010 renewal)

It is estimated that the renewal of the above licenses will bring in approximately \$205,090 in revenue for FY2010. (FY2009 Actual = \$203,400)

Thank you for your consideration,

*Mary L. Midura*

